A DECLARATION, CONTEYNYNG THE IVST CAVSES and conſyderations, of this preſent warre with the Scottis, wherin alſoo appereth the trewe right title, that the kinges moſt royall mateſty hath to the ſouerayntie of Scotlande.

BEYNG NOVVE EN=
forced to the warre, which we haue al
ways hitherto so moch abhorred and
fled, by our neighbour and Nephieu
the kyng of Scottis, one, who, aboue
all other, for our manyfold benefites
towardis hym, hath most iust cause to loue vs, to ho=
nor vs, and to reioise in our quiet: We haue thought
good to notify vnto the world his doinges and beha
uour in the prouocation of this warre, and lykewyse
the meanes and wayes by vs vsed to exchue and ad=
uoyde it, and the iust and true occasions, wherby we
be nowe prouoked to prosecute the same, and by vtte=
rance and diuulging of that matier, to disburden som
part of our inwarde displeasure and griefe, and the
circumstaunces knowen, to lament openly with the
worlde, the infelicitie of this tyme, in which thinges
of suche enormitie do brest out and appere.

THE KYNG of Scottes our Nephieu and neigh=
bour, whom we in his youth & tender age preserued
and maynteined from the great danger of other, and
by our authoritie and power conduced hym sauely to
the reall possession of his estate, He nowe compelleth
and forceth vs for preseruation of our honoure and
right, to vse our puissaunce and power agaynst hym.
The like vnkindenes hath ben heretofore shewed by
other in semblable caces against goddis lawe, mans
lawe, and al humanitie: but the oftener it chaunceth,
the more it is to be abhorred, & yet in the persons of
princis for the raritie of theym can so happen but sel=

dome, as it hath nowe come to passe.

IT HATH ben very rarely and seldom seen before, that a king of Scottis hath had in martage a doughter of England: We can not, ne wyll not reprehend the kynge our fathers acte therin, but lament and be sory it toke no better effecte. The kynge our father in that matier mynded loue, amitie, and perpetuall frendshyp betwene the posteritie of both, whiche how soone it fayled, the death of the kynge of Scottis, as a due punyshment of god for his iniuste inuasion into this our realme, is and shall be a perpetuall testimonye to theyr reproche for euer, and yet in that present tyme coulde not the vnkyndenesse of the father extinguishe in vs the naturall loue to our Nephteu his sonne, being than in the myserable age of tender youthe: but we than forgettyng the displeasure that shulde haue worthily prouoked vs to inuade that realme, nurrished and brought vp our Nephteu to achieue his fathers possession and gouernemēt, where in he nowe so vnkyndly vseth and behaueth hym towardes vs, as he compelleth vs to take armour and warre agaynst hym.

IT IS spectally to be noted, vpon what groundes, and by what meanes we be compelled to this warre, wherin among other is our chiefe griefe and displeasure, that vnder a colour of faire spech and flattering woordes, we be in dedes so iniured contempned and dispised, as we ought not with sufferaunce to pretermitte and passe ouer. Woordes writinges letters messages, ambassiatis, excuses, allegations, coulde not

more

moze pleasantly, moze gently, ne moze reuerently be deuised and sente, then hath bene made on the kynge of Scottis behalfe vnto vs, and euer we trusted, the tree wold bzyng foxth good fruite, that was on thone partie of so good a stocke, and contynually in apparance put foxth so fayze buddes: and therfoze wolde hardely byleue oz gyue eare to other, that euer alledged the dedes to the contrary, being neuertheless the same dedes so manyfest, as we muste nedes haue regarded them, had we not haue ben so lothe to thinke euell of our Nephieu, whom we had so many wayes bound to be of the best sozte towarde vs. And therefoze hauynge a message sente vnto vs the yere paste from our sayde Nephieu, and a promisse made foz the repayzyng of the sayd kynge of Scottis vnto vs to Yozke, and after great preparation on our part made therfoze, the same metyng was not onely disappoynted, but also at our being at Yozke, in the lieu therof, an inuasion made by our said Nephieu his subiectes into our realme, declaryng an euident contempt and dispite of vs: We were yet gladde to impute the defaute of the metynge to thaduyse of his counsaylle, and the inuasion to the lewdnes of his subiectes: and accozding therunto gaue as benigne and gentyl audience to suche Ambassadours, as repayzed hither at the Chzistmas afterwarde, as if noo suche causes of displeasure had occurred, spectally consyderynge the good woozdes, swete woozdes, pleasant woozdis, eftsones proponed by the sayd Ambassadours, not only to excuse that was past, but also to perswade kindnes

and

and perfect amitie to enſue. And albeit the kyng of Scottis haupnge contrary to tharticle of the leage of amitie, receyued and entreteigned ſuche rebelles, as were of the chief and principle, in ſterringe the inſurrection in the North agaynſt vs, with refuſal before tyme, vpon requeſt made to reſtore the ſame: yet neuertheleſſe vpon offer made by the ſayde ambaſſadours, to ſende commiſſion to the bordures, to determine the debates of the confinies in the ſame, with ſo great a pretence of amitie and ſo fayre woordes, as coulde be in ſpeche deſyred: we were contente for the tyme to forbeare to preſſe them ouer extremely in the matier of rebels, Albeit we neuer remitted the ſame, but deſyrous to make triall of our ſayde Nephieu in ſome correſpondence of dedes, condeſcended to the ſendyng of commiſſioners to the borders, whiche to our great charge we dyd, and the kynge of Scottes our ſaid Nephieu the ſemblable. Where after great trauaile made by our Commiſſioners, this fruite enſued, that being for our part chalenged a piece of our grounde, playnly vſurped by the Scottis, and of no great value, beinge alſo for the ſame ſhewed ſuch euidence, as more ſubſtanciall, more autentique, more playne and euydent, can not be broughte fourthe for any parte of grounde within our realme. The ſame was neuertheleſſe by them denied, refuſed, and the euidence only for this cauſe reiected, that it was made (as they alledged) by Engliſhemen. And yet it was ſoo auncient, as it coulde not be counterfaite nowe, and the value of the grounde ſo lytell, and of ſo ſmal

wayte,

wayte, as no man wolde haue attempted to falsifie for such a matier. And yet this denyall being in this wyse made vnto our Commissioners, they neuer the lesse by our cõmandement departed as frendes, from the Commissioners of Scotlande, takyng order as hath ben accustomed for good rule vpon the borders in the meane tyme.

AFTER whyche theyr recesse, the lorde Maxwell, warden of the west marches of Scotland, made proclamation for good rule, but yet added therwith, that the bourderers of Scotlande shuld withdrawe their goodes from the bourders of England: And incontinently after the Scottisshe men bourderers, the fourth of July, entred into our realme sodeynly, and spoyled our subiectes, contrarye to our leages, euen after suche extremitie, as it had bene in tyme of open warre. Wherat we moche meruayled, and were compelled therfore to furnisshe our bourdour with a garrison for defence of the same. Wherupon the kyng of Scottis sente vnto vs James Leyrmouth, maister of his howseholde, with letters deuysed in the most pleasant maner, offerynge redresse and reformation of al attemptates. And yet neuertheless at the entre of the sayde Leyrmouth into England, a great number of the Scottis, than not loked for, made a forrey into our bourders, to the great annoyance of our subiectes, and to theyr extreme detriment, wherwith and with that vnsemely dissimulation, we were not a lytell moued, as reason wolde we shulde. And yet dyd we not fynally soo extremely persecute and continue

our

our sayde displeasure, but that we gaue benigne audience to the sayde Leymouth, and suffered our selfe to be somewhat altred by his woordes and fayre promyses, tendyng to the perswasion that we euer desyred, to fynde the kynge of Scottis suche a Nephieu vnto vs, as our proximitie of bloude, with our gratuitie vnto hym, dyd require.

IN THE meane tyme of these fayre woordes, the dedes of the borders were as extreme as myghte be, and our subiectes spoyled: and in a rode made by syr Robert Bowes for a reuenge therof, the same syr Robert Bowes with many other taken prysoners, and yet deteyned in Scotlande, without puttynge them to fyne and raunsome, as hath ben euer accustomed. And beinge at the same tyme a surceaunce made on bothe sydes at the suite of the sayde Leymouth for a season: the Scottis ceassed not to make sundry inuasions into our realme in suche wyse, as we were compelled to forgette fayre woordes, and onelye to consyder the kyng of Scottes dedes, whiche appered vnto vs of that sort, as they ought not for our duetie in defence of our subiectes, ne coulde not in respecte of our honour, be passed ouer vnreformed: and therfore put in a redynesse our army, as a due meane wherby we myght atteigne suche a peace, as for the safegard of our subiectes we be bounde to procure.

AFTER whiche preparation made, and knowlege had therof, the kyng of Scottis ceassed not to vse his accustomed meane of fayre woordes, which in our natural inclination wrought eftsones their accustomed

effect,

effect, euermore desirous to fynd in the king of Scottis such a regard and respect to be declared in dedes, as the correspõdence of naturall loue in the Nephieu to suche an Uncle, as we haue shewed our selfe towardes hym, dothe require. Wherfore vpon new request and suite made vnto vs, we determined to stay our army at Yorke, appoynting the Duke of Norff. our lieutenaunt, the lorde priuy seale, the byshop of Durehame, and the master of our horses, there to cõmen treate and conclude with the Ambassadours of Scotlande, for an amitie and peax vpon suche conditions, as by reason and equitie were indyfferent, wherby the warre might be exchued, being by sundry inuasion of the Scottis than open and manifest.

IN THIS communication betwene our and their commissioners, after diuers degrees of commission, shewed by the Scottis, and finally one, that was by our commissioners allowed, matiers were propon ed for conclusion of amitie, nothing difficile or hard on our part, but so agreable to reason, as the commissioners of Scotlande sayd, they doubted not, but yf it myght ones be broughte to passe, that the kynge of Scottis our Nephieu might haue a meting with vs, all matiers shulde easyly be componed and determined. Wherupon they lefte speakynge of any articles of amitie, and the ambassadours of Scotland made moche outward ioy in communication of a metinge, they shewed them selfe in wordis faction and behauor moche to delyte in it, to reioyce in it, and therewith thought it easy and facile to be concluded and accom

plyſſhed, and for their parte they toke it then for a thing paſſed, a thing concluded, and moſt certayn to take effect, and only deſyred. vi. dayes to obteigne anſwere from their maiſter, and our army for that tyme to ſtay and go no further. Wherunto our commiſſioners then agreed.

AFTER THESE ſyxe dayes was ſent a commiſſion out of Scotlande, with power to conclude a metynge preciſely at ſuche a place, as they knew wel we wolde not, ne coulde not in wynter obſerue and kepe, wherwith whan our cõmiſſioners were myſcontent, the ambaſſadours of Scotland to relieue that diſpleſure, and to tempre the matier, wherby to winne more tyme, ſhewed forth their inſtructions, wherin liberty was gyuen to the ambaſſadours to excede their commiſſion in the appoyntment of the place, and to conſent to any other by our commiſſioners thought conuenient, whiche maner of procedyng, when our commiſſioners refuſed, alledging that they wold not conclude a metynge with men, hauynge no commiſſion therunto, the ambaſſadours of Scotland vpon pretence to ſend for a more ample and large commiſſion, agreable to their inſtructiõs for appoyntment of the place, obteined a delay of other. vi. days, to ſende for the ſaid ample cõmiſſion without reſtraynt of place. And after thoſe. vi. dayes they brought forthe a newe commiſſion, made in a good fourme, and without exception. But therwith they ſhewed alſo newe inſtructions, conteynynge ſuche a reſtraynte as the former commiſſion dyd conteyne, ſo as the libertie gyuen to

the

the Commissioners in the commission was nowe at the last remoued and taken away by the instructiõs, with addition of a special charge to the ambassadors not to excede the same.

AND thus fyrste the ambassadours of Scotlande semed to haue wyll and desyre to conclude of a place semely and conuenient, whiche for want of commission they myght not do, and at the laste myght haue concluded a metynge by vertue of theyr commission, and then for feare of the commandement in theyr second instructions they durst not. And so they shewed theyr fyrst instructions partly to excuse theyr kynge, who shulde seme secretely to wyll more, than in the commission he dyd openly professe.

AND THAN with an ample commission from the kyng, they shewed theyr secret instructiõs for defence of them self, why they proceded not accordyng to their commission, not carynge howe muche they charged therin their kyng, whose faulte they disclosed to dyscharge them self, trustyng that by benefite of the winter approchyng, and the tyme lost in theyr communication theyr maister shulde be defended agaynste our power for this yere, without doinge for theyr parte that by honour, right, lawe, and leages they be obliged and bounde to do. And in this meane tyme oure subiectes taken prisoners in Scotland coulde not be deliuered vpon any ransome, contrary to al custome and vsage of the border in the tyme of peax & warre. and in this meane tyme staied a great part of our army alredy prested, and in our wages to go forwarde.

In this tyme ambassadours (as ye haue herde) assembled to talke of an amitie and conclude it not. The treatyng of amitie was put ouer by communication of a metynge.

THE cõmunication of metyng was so handled by alteration of commyssion and instructions on theyr behalfe, as it appereth a playne deuise onely excogitate for a delay, whyche hath gyuen vs lyght, wherupon more certeinly to iudge the king of Scottis inwarde affection towardes vs, whose dedes and wordes well wayed and considered, dothe vs playnely to vnderstande, howe he hath contynually laboured to abuse vs with swete and pleasant wordes, and to satisfy the appetites of other at home and abrode with his vnkynde and displeasant dedes. In his wordes he professeth an indissoluble amitie, he alledgeth kinred, he knowlegeth benefites, onely the faulte is that he speaketh an other langage to all the worlde in dedes, and therby so toucheth vs in honour and denegation of iustyce, as we be inforced and compelled to vse the lworde, whiche god hath put in our hande as an extreme remedy, wherby to obteigne bothe quiete for our subiectes, & also that is due vnto vs by right, pactes, and leages.

WE HAVE pacientlye suffred many delusions, and notably the laste yere, when we made preparation at Yorke for his repaire to vs: But shuld we suffer our people and subiectes to be so ofte spoyled without remedy? This is done by the Scottis what soo euer theyr wordes be. Shulde we suffer our rebelles to be

detey-

deteyned contrary to the leages without remedye? This is also done by them what so euer theyr wordes be. Shuld we sufferr our lande to be vsurped contrary to our most playne euidence, onely vpon a wylle, pryde, and arrogancye of the other partie? This is done by them what so euer theyr wordes be. And all these be ouer presumptuously done agaynste vs, and gyue suche signification of theyr arrogancy, as it is necessary for vs to oppresse it in the begynning, leste they shuld gather further courage to the greater displeasure of vs and our posteritie hereafter. And yet in the entreatyng of this matter, if we had not euidently perceyued the lacke of suche affection as proximitie of bloudde shulde require, we wold muche rather haue remitted these iniuries in respecte of proximitie of bloud to our Nephieu, than we dyd heretofore the inuasion of his father. But consyderyng we be so surely ascertayned of the lacke therof, and that our bloud is there frome with the cold ayre of Scotlande, there was neuer prynce more vyolently compelled to warre then we be, by the vnkynde dealyng, vniust behauour, vnprincely demeanour of hym that yet in nature is our Nephieu, and in his actes and dedes declareth hym selfe not to be moued therwith, ne to haue suche ernest regarde to the obseruation of his pactes and leages, ne such respect to thintretaynment of the administration of Justice, as naturall equitie byndeth, and conseruation of amitie dothe require: whiche we muche lament and be sory for, and vse nowe our force and puissaunce againste hym, not

for reuengeance of our priuate displeasure (being so often deluded as we haue ben) but for recouerye of our right, the preseruation of our subiectes from iniuries, and the obseruation of such leages as haue passed betwene vs, firmely trusting, that almighty god, vnder whom we reigne, woll assist and ayde our iust proceedinges herein to the furtherance and aduancement of the right, whiche we doubt not shal euer preuayle againste wronge falseheade deceipte and dissimulation.

¶ Hitherto it appereth how this present warre hath not proceded of any demaund of our right of superiorite, which the kinges of Scottes haue alwais knowleged by homage and fealtie to our progenytours euen from the begynnynge: But this warre hath ben prouoked and occasioned vpon present matier of displeasure, present iniury, present wrong mynistred by the Nephieu to the Uncle most vnnaturally, and supported contrary to the desertes of our benefites most vnkindly. If we had minded the possession of Scotland, and by the motion of warre to atteyne the same, there was neuer kynge of this realme had more opportunity in the minority of our Nephieu Ne in any other realme a prince that hath more iuste title, more euident title, more certayn title, to any realme that he can clayme, than we haue to Scotland, not diuised by pretense of mariage, not imagined by couenaunt, or contriued by inuention of argument, but lineally descended from the begynnynge of that estate established by our progenitours, and recognised

ſed ſucceſſiuely of the kinges of Scotlande by dedes wordes actes & writinges cõtinually almoſt without interruption, or at the leeſt intermiſſion, til the reigne of our progenitour Henry the, VI, in whoſe time the Scottis abuſed the Ciuile warre of this realme, to theyr licence and boldnes, in omitting of their dutie: whiche for the proximitie of bloudde bitwene vs, we haue ben ſlacke to require of them, being alſo of our ſelfe inclined to peace, as we haue euer been alwayes glad, rather without preiudice to ompt to demaunde our right, if it myght conſerue peace, than by demandyng therof to be ſene to moue war, ſpecially againſt our neighbour, againſt our Nephieu, agaynſt hym, whom we haue preſerued from daungier, and in ſuch a tyme as it were expedient for all Chriſtendome to be vnite in peace, wherby to be the more able to reſiſt the common ennemy the Turke.

BVT for what ſo euer conſiderations we haue omitted to ſpeake hitherto of the matier, it is neuer the leſſe true, that the kynges of Scottes haue alwayes knowleged the kynges of Englande ſuperior lordes of the realme of Scotlande, and haue done homage and fealtie for the ſame.

THIS appereth fyrſt by hiſtorie, written by ſuch as for confirmation of the trueth in memory, haue truly noted and ſignified the ſame. SECONDLY it appereth by inſtrumentes of homage made by the kynges of Scottis, and dyuers notable perſonages of Scotlande, at dyuers and ſundry times ſealed with theyr ſeales, and remaynynge in our Treaſorye.

Thirdly

THIRDLY it appereth by regesters and recordes iudicially and autentiquely made, yet preserued for confyrmation of the same. So as the matter of title being most playne, is furnished also with all maner of euidences for declaration therof.

FYRST AS concernynge hystories, whyche be called witnesses of tymes, the lyghte of trueth, and the lyfe of memory, and fynally the conuenient way and meane, whereby thinges of antiquitie may be brought to mens knowlege, they shewe as playnly this matter as coulde be wyshed or required, with such a consent of writers, as coulde not so agree vppon an vntruth, conteynyng declaration of such matter as hath most euident probabilitie and apparance. For as it is probable and lykely, that for the better administration of iustyce amonges rude people, two or mo of one astate might be rulers in one countrie vnite as this Isle is: so is it probable and lykely, that in the beginnyng it was so ordred for auoydinge discention, that there shulde be one superiour in righte, of whom the sayd astates shuld depende. Accordyng whervnto we rede howe Brutus, of whom the realme than callyd Brytayn toke fyrst that name (being before that tyme inhabited with gyauntes, people without order or ciuilitie) had thre sonnes, Locrine, Albanact, and Camber, and determinyng to haue the whole Isle within the Occean sea to be after gouerned by them thre, appoynted Albanact to rule that nowe is called Scotlād, Camber the parties of Wales, and Locrine that nowe is called Englande: vnto whom, as beinge the elder

elder sonne, the other two brothers shuld do homage, recognisynge and knowleagyng hym as theyr superiour. Nowe consider if Brutus conquered all this Ilande, as the hystorye sayeth he dyd, and then in his owne tyme made this order of superiorite as afore: Howe can there be a title diuised of a more playn begynninge, a more iuste begynninge, a more conuenient begynninge for the order of this Ilande, at that tyme specially when the people were rude, which can not without continual strife and variaunce conteine two or thre rulers in all poyntes equall without any maner of superiorite, the inwarde conscience and remorse of whiche superiorite shulde in some part dull and diminishe the peruerse courage of resistence and rebellion. The fyrst diuision of this Ile we fynde it writē after this sort without cause of suspection why they shulde write amysse. And accordynge herevnto we fynde also in hystory set forth by diuers, howe for transgression against this superiorite, our predecessours haue chastised the kinges of Scottis, and some deposed, and put other in their places.

VVE will here omyt to speake of the rudenes of the antiquitie in particularitie, whiche they cared not distinctly to cōmit to writing, but some authors, as Anthonius Sabellicus amonges other dilygentely enserchyng, what he might truely write of all Europe, and the Ilandes adioynynge, ouer and besides that whiche he writeth of the nature maners and condytions of the Scottis, whiche who so lyst to rede, shal fynde to haue bene the very same in tymes paste, that Ened. 10. Lib. 5.

we finde them nowe at this preſent, he calleth Scotlande part of Englande, which is agreable to the diuiſion aforeſayd, beinge in dede as in the lande contynuall without ſeparation of the ſea, ſo alſo by homage and fealtie vnite vnto the ſame, as by particular declarations ſhall moſt manifeſtly appere by the teſtimony of ſuch as haue left writyng for proue and confirmation therof. In whiche matier paſſing ouer the deathe of kyng Humbre, the actes of Dunwalde king of this realme, the diuiſiō of Belyn & Brene, the victories of king Arthure, we ſhall begyn at the yere of our lord. DCCCC. which is. DCXLII. yeres by paſt, a tyme of ſufficient auncientie, from whiche we ſhall make ſpeciall declaration and euidence of the execution of our right and title of ſuperiorite euermore cōtynued and preſerued hytherto.

¶EDVVARDE the firſt before the conqueſt, ſonne to Alured kyng of Englande, had vnder his dominion and obedience the king of Scottis. And here is to be noted, that this matier was ſo notorious and manifeſt, as Maryon a Scot writing that store in thoſe dayes, graunteth confeſſeth and teſtifieth the ſame, and this dominion continued in that ſtate. XXIII. yere: At whyche tyme Athelſtaine ſucceded in the crowne of Englande, and hauyng by battayle conquered Scotlande, he made one Conſtantine kynge of that partie, to rule and gouerne the countrye of Scotlande vnder hym, adding this princely woord, That it was more honour to hym to make a kynge, than to be a kyng.

XXIIII.

xxiiii. yeres after that, whyche was the yere of our lorde. dccccxlvii, Eldred kynge our progenitour, Athelstains brother, toke homage of Irise then king of Scottis.

xxx, yeres after that, which was the yere of our lorde, dccccclxxvii, kyng Edgar our predeceſſor toke homage of kynalde king of Scottis. Here was a lyttell trouble in Englande by the death of ſayncte Edwarde kyng and martyr, diſtroyed by the deceite of his mother in lawe: but yet within memory.

xl, yeres after the homage done by kynald to king Edgare, that is to ſay, in the yere of our lord, mxvii, Malcolme the kynge of Scottis dydde homage to knute our predeceſſour. After this homage done the Scottis vttered ſome piece of their naturall diſpoſition, wherbppon by warre made by our progenitour ſainte Edwarde the confeſſour, xxxix, yere after that homage done, that is to ſay, the yere of our lord, mlvi, Malcolme kynge of Scottis was vanquiſſhed, and the realme of Scotlande gyuen to Malcolme his ſonne by our ſayd progenitour ſaynte Edwarde: vnto whome the ſayde Malcolme made homage and fealtie.

vvithin, xi, yeres after that William Conquerour entred this realme, wherof he accompted no perfect conqueſt, vntyll he had lykewiſe ſubdued the Scottis, and therfore in the ſayd yere, whiche was in the yere of our lord. mlxviii. the ſayd Malcolm kyng of Scottis dyd homage to the ſayde William Conquerour, as his ſuperiour by conqueſt kynge of

Englande.

xxv, peres after that, whiche was the pere of our Lorde, MXCIII, the sayde Malcolme dyd homage and fealty to William Rufus, sonne to the said William Conquerour: and yet after that was for his offences and demerites deposed, and his sonne substitute in his place, who lykewyse fayled in his duetie, and therfore was ordeyned in that astate by the sayd William Rufus, Edgare brother to the laste Malcolme, and sonne to the fyrste, who dyd his homage and fealtie accordingely.

VII, peres after that, which was in the pere of our lorde, MC, the sayd Edgar kynge of Scottis, dydde homage to Henry the fyrste, our progenitour.

XXXVII, pere after that, Dauid kyng of Scottis did homage to Matilde the Emperatrice, as daughter and heyre to Henry the fyrst. Wherfore being after required by Steuen, then obteynyng possession of the realme, to make his homage, he refused so to do, bycause he had before made it to the sayde Matilde, and therupon forbare. After whiche Dauids deathe, whiche ensued shortly after, the sonne of the sayd Dauid made homage to the said kyng Steuen.

XIIII, peres after that, whiche was in the pere of our lorde, MCL, William king of Scottis, and Dauid his brother, with al the nobles of Scotlād made homage to HENRY the secondes sonne, with a reseruation of theyr dutie to Henry the second his father.

XXV, peres after that, which was in the pere of our lorde, MCLXXV, Wylliam king of Scotlande, after

moche

moch rebellion and reſiſtence, accordyng to their naturall inclination, kyng HENRY the ſeconde, than being in Normandy, William then kyng of Scottis knowledged fynally his errour, and made his peace and compoſition, confirmed with his great ſeale, and the ſeales of the Nobilitie of Scotlande, makynge therwith his homage and fealtie.

WITHIN, XV, yeres after that, which was the yere of our lorde, MCLXXXX, the ſayd wylliam kyng of Scottes, came to our citie of Canturbury, and there dydde homage to our noble progenitour kynge RICHARDE the fyrſt.

XIIII, yeres after that, the ſayd William dyd homage to our progenitour kynge IOHN, vpon a hyll beſides Lincoln, makyng his othe vpon the croſſe of Hubert than archbyſhop of Canturbury, being there preſent a meruaylous multitude aſſembled for that purpoſe.

XXVI, yeres after that, whiche was in the yere of our lorde, MCCXVI, Alexander kyng of Scottis maryed Margaret, the doughter of oure progenitoure HENRY the thyrde, at our citie of Yorke, in the feaſt of Chriſtmas: at which tyme the ſaid Alexander dyd his homage to our ſayde progenitour: who reigned in this realme, LVI, yeres. And therfore betwene the homage made by the ſaide Alexander kyng of Scottes, and the homage done by Alexander, ſonne to the ſayd kyng of Scottis, to Edwarde the fyrſt at his coronation at Weſtmeſter, there was about fyfty yeres, at whyche tyme the ſayde Alexander kynge of

Scottes repaired to the sayde feaste of coronation, there did his duetie as is afore sayde.

VVITHIN, XXVIII, yeres after that, which was the yere of our lorde, MCCLXXXII, Johñ Baliol kynge of Scottes, made homage and fealtie to the sayde kynge Edwarde the fyrst, our progenitour.

AFTER THIS began Robert Bruse to vsurpe the crowne of Scotlande, and to moue sedition therfore, against them of the house of Ballioll, whiche made for a season some interruption in the sayde homage: but yet no intermission without the termes of memory. For within, XLIIII, yere after, whiche was the yere of our lorde, MCCCXXVI, Edwarde Baliol, after a great victory in Scotlande agaynst thother faction, and enioyenge the crowne of Scotland, made homage to our progenitour Edwarde the thyrde.

AND, XX, yeres after that, which was in the yere of our lorde, MCCCXLVI, Dauid Bruse, who was euer in the contrary faction, did neuertheleſſe in the title of the crowne of Scotland, wherof he was then in possession, make homage to our sayde progenitour Edwarde the thyrde.

VVITHIN, IX, yeres after, this Edward the thyrd, to chastise the infidelitie of the Scottis, made warre agaynst them: where after great victories, Edwarde Balliol hauyng the iust and ryght title to the realme of Scotlande, surrendred clerely the same to our said progenitour at the towne of Rokysburough in Scotlande: where our said progenitour accepted the same, and than caused hym selfe to be crowned kynge of

Scot=

Scotlande, and for a tyme enterteygned it, and enioyed it, as very proprietary & owner of the realme, as on thone parte by confiscation acquyred, and on the other parte by free wyll surrendred vnto hym.

AND then after the death of our sayd progenitour EDVVARDE the thirde, beganne seditions and insurrections in this our realme, in the tyme of our progenitour RICHARDE the seconde, which was augmented by the alteration of the state of the said Rychardе, and the deuolution of the same, to Henry the IIII. so as the Scottis had some leisure to play their vagues, and folowe their accustomed manier. And yet Henry the. V. for recouery of his ryght in France, commaunded the kyng of Scottis to attende vpon hym in that iourney. And in this tyme the realme of Scotlande being descended to the house of the Stewardes, of which our Nephieu directly cometh, James Stuarde kynge of Scottis, in the yere of oure lorde, MCCCCXXIII, made homage to Henry the, VI, at Wyndesour. Whiche homage was distaunt frome the tyme of the other homage made by Dauid Bruse LX, yeres and more, but farre within the freshe memory of man.

ALL whiche homages and fealties as they appere by story to haue ben made and done at times and season as afore: so do there remayne instrumentes made therupon and sealed with the seales of the kynges of Scotlande testifyenge the same. And yet doth it appere by story, how the Scottis practised to steale out of our treasaury diuers of these instrumentes, which

neuer

neuertheleſſe were after recouered agayn. And to the intent ye may knowe of what fourme and tenour the ſayde inſtrumentes be, here is inſerted the effecte in worde and ſentence as they be made, which we do, to mete with the cauellation and contriued euaſion of the Scottes, alleaginge the homage to haue benne made for the Erldome of Huntyngton, whiche is as trewe as the allegation of hym that is burnte in the hande, to ſaye he was cut with a ſikell. And therfore the tenour of the homage is this.

I Johñ K. kynge of Scottes ſhall be trewe and feythful vnto you lorde Edward by the grace of god kynge of Englande, the noble and ſuperior lorde of the kyngdome of Scotlande, and vnto you I make my fydelitie of the ſame kyngdome of Scotland, the whiche I holde, and clayme to holde of you: and I ſhall beare to you my feythe and fidelitie of lyfe and lymme and worldely honour agaynſte all men, and feythfully I ſhall knowleage, and ſhal do to you ſeruice due vnto you of the kyngdome of Scotlande aforeſayd, as god ſo helpe me & theſe holy euangelies.

NOVVE FOR the thyrde parte touchinge recordes and regeſtres, we haue them ſo formall, ſoo autentiquall, ſo ſeriouſly handeled, and with ſuche circumſtaunces declarynge the matiers, as they be & ought to be a great corroboration of that hath ben in ſtories writen and reported in this matier. For amonges other thynges we haue the ſolempne acte, and iudicial proceſſe of our progenitour EDVVARD the firſte, in diſcuſſion of the title of Scotland, when the ſame

was

was challenged by twelue competitours: That is to saye,

Florentius comes Holandie.
Patricius de Dunbar comes de Merchia.
VVillielmus de Vesty.
VVillielmus de Ros.
Robertus de Pinbeny.
Nicholaus de Soules.
Patricius Galightly.
Rogerus de Mundeville.
Ioannes Comyn.
D. Ioannes de Hastinges.
Ioannes de Balliolo.
Robertus de Bruse.
Ercius rex Norvvegie.

AND fynally aft er a great consultation and mature delibetation, with discussion of the allegatiõs proponed on al parties, sentence was giuen for the title of Balioll, accordyng wherunto he enioyed the realme. But for confirmation of the duety of homage before that tyme obserued by the kynges of Scottes, it appereth in those recordes, howe when those competitours of the realme of Scotland repaired to our said progenitour, as to the chiefe lord for discussion of the saine, in as muche as the auctoritie of the iudgement to be gyuen depended therupon: It was then orde-

red, that the hole parliament of Scotland spirituall tempozall and of all degrees assembled foz that purpose, and considerynge vpon what ground and foundation the kynges of Scotlande had in tymes paste made the sayd homages and recognition of superyoritie, the sayd parlyament fyndinge the same substantiall good and true, shulde if they so deined it, yelde and geue place, and by expzesse consent recognise the same. At whiche parlyamente was alledged vnto theym, as appereth in the same recozdes, not onely these actes of the pzynces befoze those dayes, and befoze rehersed: but also besydes the testimonye of storyes, the wzytinges and letters of fozeyn pzincis, at that tyme recitynge and reherspnge the same. Whervppon the sayde parlyament dyd there agree to this our superiozitie, and ensuynge theyz determination dyd particularly and seuerally make homage and feaultie with pzoclamation: That who soo euer withdzue hym selfe from doinge his duetie therin, shulde be taken and reputed foz a rebel. And so all made homage & fealtie to our pzogenitour Edwarde the first. The realme was in the tyme of the discussion of the title ruled by gardians deputed by him: all castels & holdes were surrendzed to him as to the superioz lozd in the tyme of vacation, benefices, offices, fees, pzomotions passid in that tyme from the mere gift of our sayde pzogenitour, as in the right of this crowne of England, Sheriffes named and apoynted, wzittis & pzeceptes made obeyed and executed: And finally al that we do now in the Duchy of Lancaster, the same

dyd

dyd our progenitour for the tyme of contention for that title in the realme of Scotlande, by the consent and agrement of all astates of the realme assembled and consulted with for that purpose. At whiche tyme the byshoppes of saynt Andrewes and Glascoo were not as they nowe be archebyshoppes, but recognised the prouince of our archebishop of Yorke, whiche extended ouer all that countrey.

NOVV if the Scottis wyl take exception to the homages of theyr pryncis, as made in warre & by force whiche is not true: what wyll they say or can they for shame alledge agaynst their owne parlyament, not of some, but of all confirmed & testified by theyr writynge and seales: wherunto nothing enforced them, but right and reason, being passed in peace and quiet without armour or compulsion. If they say they did it not, they speake like them selues: If they say they dyd it, then doo they nowe lyke them selfes, to withdrawe their duetie, not so moche to be blamed, as to be amended.

THVS APPERETH vnto you the begynnyng of the righte of superiorytie, with a perpetuall contynuaunce, without intermission within memory, certayne omission and forbearynge vpon the groundes and occasions before specified we deny not. Wherby they haue many tymes sought and taken theyr opportunities, to withdrawe the doinge of theyr duetie in knowlege of our superiorytie ouer theym, whiche to auoyde, they haue not cared what they sayde or alleged, though it were neuer so vntrue: lyeng alwayes

in awayte whan they might annoye this realme, not without theyr owne great dangier peril and extreme detriment. But as they detrected the doing of theyr duetie, so god euer graunted vnto this realme force to compell them thervnto within memory, not withstandyng any theyr interruption by resistence, which vnto the tyme of our progenitour Henry the, VI, neuer indured so longe as it made intermission within tyme of mynde, wherby the possession myght seme to be enpaired, from the tyme of Henry the, VI, vnto the seuenth yere of our reigne, how our realme hath ben for a season lacerate and torne by diuersitie of titles, tyl our time and syns by warre outwardly vexed and troubled. The story is so lamentable for some parte therof, as were tedious to reherse.

SITHENS THE death of our progenitour Henry the, VI, our grandfather Edwarde the, IIII, reygned, who after great trauailes to atteyne quietnesse in his realme, fynally in the tyme of preparation of warre against Scotlande, dyed.

RICHARDE the, III, than vsurped for a smalle tyme in yeres, whome the kynge our father by the strength of goddis hande ouerthrew in battaile, and moost iustely attayned the possession of this realme, who neuertheles after the great tempestious stormes fyndynge all matiers nat yet brought to a perfecte quiete and reste, ceassed and forbare to require of the Scottis to do theyr duetie, thynking it policy rather for that tyme to assay to tame their nature by the plesant coniunction and conuersation of affinitie, then

to

to charge them with theyr fault, and requyre duety of them, when opportunitie serued not, by force and feare to constrayne and compell them.

AND thus passed ouer the reygne of our father, without demaunde of this homage. And beinge our reygne nowe, XXXIIII, yeres, we were, XXI, yere letted by our Nephieu his minoritie, being then more carefull howe to bringe hym out of daungier, to the place of a king, then to receyue of hym homage when he had full possession in the same. Wherfore beinge now passed sithens the last homage made by the kinges of Scottis to oure progenitour Henry the, VI, CXXII, yere, at whiche tyme the homage was done at Windesor by James Stuard, then king of Scottis, as afore. LVI, of these yeres the crowne of this realme was in contention, the trouble wherof engendred also some bulynes in the tyme of the kynge our father, whiche was, XXIIII, yere: And in our tyme XXI, yere hath passed in the minorite of our Nephieu. So as finally the Scottis resorting to theyr onely defence of discontinuance of possession, can onely alledge iustly but, XIII, yere of sylence in the tyme of our reigne, being all the other tymes sithens the homage done by James Stewarde, suche as the silence in them had they ben neuer so longe, coulde not haue ingendred prejudice to the losse of any right, that may yet be declared and proued due. For what can be imputed to kyng Edward for not demandyng homage, beinge in strife for that estate, wherunto the homage was due? What shuld Rychard the, III, serche for

homage

homage in Scotlande, that had neither right ne leysure to haue homage done vnto hym in Englande. Who can blame our father, knowynge the Scottis nature, neuer to do their duetie but for feare, if he demaunded not that of them, whiche they wold eschue if they might, being his realme not clerely than purged from yll seede of sedition, sparkeled and scattered in the cruell ciuile warres before.

LAVVE AND reason serueth, that the passing ouer of tyme not commodious for the purpose, is not allegable in prescription for the losse of any right. And the minoritie of the kyng of Scottis hath endured XXI, yeres of our reigne, whyche being an impediment on their part, the hole prescription of the Scottis, if the matier were prescriptible, is thus deduced euidentely to, XIII, yere, whiche, XIII, yere without excuse we haue ceassed and forborne to demaunde our duetie, lyke as the Scottis haue lyke wyse cessed to offer and tende the same. For whiche cause neuertheless we do not enter this warre, ne mynded to demaunde any suche matier: Nowe beinge rather desirous to reioyse and take comfort in the frendshyppe of our Nephieu, as oure neyghbour, than to moue matier vnto hym of displeasure, wherby to alienate suche naturall inclination of loue, as he shuld haue towarde vs. But such be the workes of god, superior ouer all, to suffre occasions to be mynystred, whereby due superiorite may be knowen demanded and required, to the intent that according therunto all thinges gouerned in due order here, we may to his pleasure

passe

passe ouer this lyfe, to his honour and glory, whiche he grant vs to do in such rest peace and tranquillitie, as shalbe mete and conuenient for vs.

LONDINI in officina Thomæ Bertheleti typis impress.
Cum priuilegio ad imprimendum solum.

ANNO. M. D. XLII.